

Message Text

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INFO OCT-01 ISO-00 IO-13 CIAE-00 DODE-00 PM-05 H-01
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SS-15 USIA-06 ACDA-12 SNM-05 DEAE-00 CTME-00
TRSE-00 EB-08 COME-00 /097 W
-----039839 301401Z /47

R 301155Z DEC 77
FM USMISSION USBERLIN
TO SECSTATE WASHDC 5952
AMEMBASSY BERLIN
INFO AMEMBASSY BONN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION USNATO

C O N F I D E N T I A L SECTION 1 OF 2 USBERLIN 3266

E.O.11652: GDS
TAGS: PGOV, MILI, BQG, AKB
SUBJECT: RUMORS OF RESTRICTIONS ON ACCESS TO EAST BERLIN: CUSTOMS
CONTROLS

REF: (A) BERLIN 9391, (B) BERLIN 9234, (C) USBERLIN 3208,
(D) BERLIN 3249

SUMMARY: WEST BERLIN CUSTOMS OFFICIALS, WHO IN PRACTICE
WORK DIRECTLY FOR FRG FINANCE MINISTRY BUT ARE COVERED BY
APPROPRIATE LEGISLATION, HAVE INDEED STEPPED UP EFFORTS IN
RECENT WEEKS. THEY HAVE PROBABLY BEEN MORE EFFECTIVE THAN
BERLIN POLICE IN APPREHENDING NARCOTICS SMUGGLERS. MOREOVER,
THEY HAVE PLAYED KEY ROLE IN CHECKING PERSONS COMING TO WEST
BERLIN WITHOUT APPROPRIATE DOCUMENTATION, AND THEY HAVE
AMASSED REASONABLY GOOD RECORD IN COMBATTING SMUGGLING
OF CIGARETTES AND WHISKEY FROM EAST BERLIN. ALLIES HERE
HAVE NOT CONSIDERED YET OLD QUESTION OF DRAMATIC
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VISIBILITY OF CUSTOMS OFFICIALS AT SECTOR-SECTOR
CROSSING POINTS. MISSION CONTINUES TO BELIEVE THAT
ACTIVITIES OF THESE OFFICIALS ARE DESIRABLE IN THEMSELVES
AND DO NOT REPEAT NOT LEND FLAVOR OF AN INTERNATIONAL
BORDER TO SECTOR-SECTOR CROSSING POINTS. END SUMMARY.

1. REF A, ALONG WITH SEVERAL COMPLAINTS THAT WE HAVE

RECEIVED FROM SOVIETS AND DIPLOMATS STATIONED IN EAST BERLIN, PROMPTED MISOFF TO VISIT WEST BERLIN FINANCE PRESIDENT SEIFERT ON DECEMBER 29 WHILE U.S. DEPUTY POLAD SPOKE TO FINANCE SENATOR RIEBSHLAEGER AT DINNER ABOUT RECENT INCREASE ACTIVITIES BY WEST BERLIN CUSTOMS PERSONNEL. SEIFERT AND RIEBSCHLAEGER CONFIRMED THAT THE WEST BERLIN CUSTOMS UNIT HAD INCREASED ITS ACTIVITIES IN RECENT WEEKS ESSENTIALLY AS PART OF THE SENAT'S ANTI-NARCOTICS PROGRAM. HOWEVER, THE PROBLEM CREATED BY PAKISTANI WOULD-BE REFUGEES (USBERLIN 3101) AND THE INCREASING SMUGGLING ACTIVITES OF DIPLOMATS STATIONED IN EAST BERLIN AND OTHER EAST EUROPEAN POSTS ALSO PLAY A ROLE IN THE DECISION. SOME ADDRESSEES WILL ALSO RECALL THAT THE ALLIES SPECIFICALLY TASKED THE CUSTOMS UNIT TO MAINTAIN SURVEILLANCE ON THE ACTIVITIES OF NORTH KOREAN DIPLOMATS AFTER THEIR NARCOTICS ACTIVITIES IN SCANDINAVIA HAD SURFACED. SEIFFERT SAID THAT HIS PEOPLE WERE INSTRUCTED GENERALLY TO GO EASY WHEN SOVIET SECTOR DIPLOMATS IDENTIFY THEMSELVES AS DIPLOMATS BUT OCCASIONALLY INCIDENTS OCCURRED (FOR EXAMPLE WITH THE AUSTRIAN AMBASSADOR TO THE GDR) WHEN DIPLOMATS DID NOT IDENTIFY THEMSELVES. U.S., U.K., FRENCH AND U.S.S.R. DIPLOMATS ARE EXEMPTED FORM ANY CONTROLS ALTHOUGH IT OCCASIONALLY HAPPENS THAT AN INEXPERIENCED CUSTOMS OFFICIAL MAKES AN ERROR WITH RESPECT TO THESE OCCUPATION DIPLOMATS.

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2. IN PRACTICE, THE WEST BERLIN CUSTOMS UNIT WORKS IN CONJUNCTION WITH ITS WEST GERMAN COUNTERPART, UNDER THE DIRECTION OF THE FRG FINANCE MINISTER. HOWEVER, WEST BERLIN CUSTOMS OFFICIALS ARE FOR ADMINISTRATIVE PURPOSES CONSIDERED BERLIN LOCAL OFFICIALS FALLING UNDER THE OVERALL SUPERVISION OF FINANCE SENATOR REIEBSCHLAEGER. RIEBSCHLAEGER SAYS THAT THIS UNIT DOES ITS WORK VERY WELL AND HE AND HIS SENATSDIREKTOR FIND LITTLE NEED TO EXERCISE DAY-TO-DAY CONTROL. REIEBSCHLAEGER SAID THAT HE HAD ORDERED DR. SEIFERT TO INCREASE CUSTOMS ACTIVITIES IN CONNECTION WITH NARCOTICS WHILE SEIFERT HAS THE AUTHORITY TO DO SO UNDER ALLIED ORDINANCES 500 AND 503 OF 1950. BOTH MEN TAKE CONSIDERABLE PRIDE IN THE FACT THAT THE MAJOR NARCOTICS SEIZURES MADE RECENTLY IN BERLIN WERE THE WORK OF THE CUSTOMS UNIT. HOWEVER THE CUSTOMS UNIT HAS ABSOLUTELY NO DESIRE FOR PUBLICITY AND IS CONTENT TO HAND OVER THE ARRESTED SUSPECTS TO THE WEST BERLIN POLICE TOTAKE CREDIT FOR THE ACTION. DURING THE PAST YEAR, THE CUSTOMS UNIT HAS BEEN INVOLVED IN SOME 50-ODD SEPARATE SMUGGLING CASES CARRIED ON BY DIPLOMATS FROM EAST BERLIN OR OTHER EASTERN EUROPEAN CAPITALS. GENERALLY, JUDICIAL ACTION

HAS BEEN AVOIDED ALTHOUGH THE PRESS REPORTED
ON DECEMBER 28 THAT ONE GUINEAN DIPLOMAT IN EAST BERLIN
WILL BE TRIED IN A WEST BERLIN COURT. BOTH SEIFERT
AND RIEBSCHLAEGER SAID EXPRESSLY THAT THEY UNDERSTOOD
PERFECTLY WELL THE ALLIED ROLE IN MAINTAINING
SECURITY IN WEST BERLIN AND THAT THEY WOULD RESPECT
ANY ALLIED WISHES WHICH MIGHT BE PUT TO THEM.
HOWEVER, THEY WOULD CONSIDER ANY EFFORT TO REDUCE
CUSTOMS ACTIVITY IN WEST BERLIN AS A MISTAKE GIVEN THE
IMPORTANCE OF THIS UNIT TO THE GENERAL HEALTH OF THE
CITY.

3. WITH RESPECT TO THE VISIBLE CHARACTER OF CUSTOMS
ACTIVITIES AT SECTOR-SECTOR CROSSING POINTS SENATOR
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REIBSCHLAEGER POINTED OUT THAT THERE ARE IN INTERNATIONAL
PRACTICE TWO KINDS OF CUSTOMS ACTIVITIES. THERE ARE
THE NATIONAL CHECKS IMPOSED BY GOVERNMENTS, THEN THERE
ARE THE INTERNAL "CONSUMPTION"CHECKS WHICH ARE COMMON
AROUND THE WORLD WHEN NON-DUTY GOODS ARE PERMITTED
WITHIN THE TERRITORY OF A STATE. HE THOUGHT THAT THE

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R 301155Z DEC 77
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C O N F I D E N T I A L SECTION 2 OF 2 USBERLIN 3266

BERLIN CASE IS ANALOGOUS TO THAT OF THE HAMBURG FREE PORT WHERE LARGE AMOUNTS OF AS YET UNTAXED GOODS ARE TAXED SOMEWHERE WITHIN HAMBURG WHEN THEY LEAVE FROM THE FREE PORT FOR THE CITY PROPER. RIEBSCHLAEGER CONTINUED THAT NO ONE WOULD ARGUE THAT AN INTERNATIONAL BORDER RUNS THROUGH THE STREETS OF HAMBURG ADJACENT TO THE FREE PORT. HE SAID THAN AN OVERRIDING SENAT CONCERN IS TO PREVENT ANYTHING WHICH WOULD ALLOW THE SECTOR-SECTOR LINE TO TAKE ON THE FLAVOR OF AN INTERNATIONAL FRONTIER. HE DID NOT THINK THAT THE CUSTOMS ACTIVITIES HAD THAT EFFECT.

4. WITH RESPECT TO EXPANDED EAST GERMAN CUSTOMS ACTIVITIES, SEIFERT SAID HE HAD HEARD ONLY RUMORS AROUND THE SENAT. RIEBSCHLAEGER NOTED THAT WEST BERLIN CUTOMS AUTHORITIES AT THE SECTOR-SECTOR CROSSING POINTS MAINTAIN VERY FORMAL CONTACT WITH THEIR EAST GERMAN COUNTERPARTS. THE LATTER SAY THEY ARE CONFIDENTIAL

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PLEASED WITH WHAT THE WEST BERLIN CUSTOMS ARE DOING AND ONLY WISH THEY COULD DO THE SAME. WE TAKE THIS TO BE A REFERENCE TO CONTROL OF DIPLOMATIC TRAFFIC. FOR WHAT IT IS WORTH, AN AMERICAN DIPLOMAT AND FAMILY EXITING FRIEDRICHSTRASSE STATION ON DECEMBER 29 WAS SUBJECT TO DEMANDS THAT HE FILL OUT CUSTOMS DECLARATIONS. HE REFUSED TO DO IT AND WAS EVENTUALLY PERMITTED TO LEAVE FOR WEST BERLIN WITH AN ADMONITION THAT "NEXT TIME HE WOULD HAVE TO FILL OUT THE FORMS." THE SAME TRAVELLER REPORTED INTENSE ACTIVITY BY GDR CUSTOMS OFFICIALS IN SEARCHING THE LUGGAGE OF TRAVELLERS GOING WEST.

5. WE PLAN TO DISCUSS THIS MATTER WITH THE BRITISH AND FRENCH. AS OF NOW, WE FEEL THAT PRAISE RATHER THAN DISCOURAGEMENT SHOULD BE GIVEN TO SEIFERT FOR HIS INCREASED ACTIVITIES IN VIEW OF THE CRITICAL IMPORTANCE TO THE FUTURE OF THE CITY OF PREVENTING ASSORTED MISCREANTS FROM TAKING ADVANTAGE OF THE SPECIAL STATUS OF BERLIN FOR SMUGGLING AND ILLEGAL ENTRY. THE MANY CASES OF SMUGGLING ENGAGED IN BY EAST BERLIN-BASED DIPLOMATS FROM A LARGE NUMBER OF EMBASSIES SUGGEST TO US THAT THE HONEST DIPLOMATS IN EAST BERLIN WILL HAVE TO ACCEPT AN EXTRA MEASURE OF CONTROL BECAUSE

OF THE ACTIVITIES OF SOME OF THEIR COLLEAGUES, EXCEPT
FOR THE REPRESENTATIVES OF THE FOUR OCCUPATION
POWERS, THE EAST BERLIN DIPLOMATIC CORPS HAS NO RPT NO
IMMUNITY OR PRIVILEGES IN WEST BERLIN ALTHOUGH THE
WEST BERLIN LOCAL AUTHORITIES HAVE ALWAYS TREATED THEM
WITH AN ADDITIONAL MEASURE OF COURTESY BEFITTING
DIPLOMATIC VISITORS TO THE CITY.GEORGE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: BERLIN ACCESS, ALLEGATIONS
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Disposition Approved on Date:
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Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
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Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 BERLIN 9391, 78 BERLIN 9234, 78 USBERLIN 3208, 78 BERLIN 3249
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 08-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 134029
Secure: OPEN
Status: NATIVE
Subject: RUMORS OF RESTRICTIONS ON ACCESS TO EAST BERLIN: CUSTOMS CONTROLS
TAGS: PGOV, MILI, BQG, AKB
To: STATE BERLIN
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/60760efd-c188-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009